

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SCOTT A. BROWN,

Plaintiff,

v.

LUCAS WOGERNESE,

Defendant.

ORDER

Case No. 16-cv-34-jdp

Plaintiff Scott A. Brown has filed a proposed civil complaint and requests leave to proceed without prepaying the filing fee. To evaluate plaintiff's request to proceed with prepayment of the filing fee, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2). A decision regarding plaintiff's indigency status cannot be made at this time because the trust fund account statement plaintiff submitted does not cover the six-month period immediately preceding the filing of the complaint.

Plaintiff must submit a certified copy of a trust fund account statement for the six-month period immediately preceding the filing of the complaint beginning approximately July 11, 2015 and ending approximately January 11, 2016. Once the necessary statement has been submitted, I will calculate the initial partial payment and advise plaintiff of the amount due before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that plaintiff Scott A. Brown may have until February 4, 2016 to submit a certified trust fund account statement for the period beginning approximately July 11, 2015 and ending approximately January 11, 2016. If, by February 4, 2016, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 19th day of January, 2016

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge